

107TH CONGRESS
1ST SESSION

H. R. 2603

[Report No. 107-]

To implement the agreement establishing a United States-Jordan free trade area.

IN THE HOUSE OF REPRESENTATIVES

JULY 24, 2001

Mr. THOMAS introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

JULY , 2001

Reported from the Committee on Ways and Means with an amendment

[Strike out all after the enacting clause and insert the part printed in italics]

[For text of introduced bill, see copy of bill as introduced on July 24, 2001]

A BILL

To implement the agreement establishing a United States-Jordan free trade area.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*



1 **SECTION 1. SHORT TITLE.**

2 *This Act may be cited as the “United States-Jordan*
3 *Free Trade Area Implementation Act”.*

4 **SEC. 2. PURPOSES.**

5 *The purposes of this Act are—*

6 (1) *to implement the agreement between the*
7 *United States and Jordan establishing a free trade*
8 *area;*

9 (2) *to strengthen and develop the economic rela-*
10 *tions between the United States and Jordan for their*
11 *mutual benefit; and*

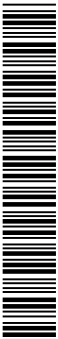
12 (3) *to establish free trade between the 2 nations*
13 *through the removal of trade barriers.*

14 **SEC. 3. DEFINITIONS.**

15 *For purposes of this Act:*

16 (1) *AGREEMENT.—The term “Agreement” means*
17 *the Agreement between the United States of America*
18 *and the Hashemite Kingdom of Jordan on the Estab-*
19 *lishment of a Free Trade Area, entered into on Octo-*
20 *ber 24, 2000.*

21 (2) *HTS.—The term “HTS” means the Har-*
22 *monized Tariff Schedule of the United States.*



1 ***TITLE I—TARIFF MODIFICA-***
2 ***TIONS; RULES OF ORIGIN***

3 ***SEC. 101. TARIFF MODIFICATIONS.***

4 (a) *TARIFF MODIFICATIONS PROVIDED FOR IN THE*
5 *AGREEMENT.—The President may proclaim—*

6 (1) *such modifications or continuation of any*
7 *duty,*

8 (2) *such continuation of duty-free or excise treat-*
9 *ment, or*

10 (3) *such additional duties,*

11 *as the President determines to be necessary or appropriate*
12 *to carry out article 2.1 of the Agreement and the schedule*
13 *of duty reductions with respect to Jordan set out in Annex*
14 *2.1 of the Agreement.*

15 (b) *OTHER TARIFF MODIFICATIONS.—The President*
16 *may proclaim—*

17 (1) *such modifications or continuation of any*
18 *duty,*

19 (2) *such continuation of duty-free or excise treat-*
20 *ment, or*

21 (3) *such additional duties,*

22 *as the President determines to be necessary or appropriate*
23 *to maintain the general level of reciprocal and mutually*
24 *advantageous concessions with respect to Jordan provided*
25 *for by the Agreement.*



1 **SEC. 102. RULES OF ORIGIN.**

2 (a) *IN GENERAL.*—

3 (1) *ELIGIBLE ARTICLES.*—

4 (A) *IN GENERAL.*—*The reduction or elimi-*
5 *nation of any duty imposed on any article by*
6 *the United States provided for in the Agreement*
7 *shall apply only if—*

8 (i) *that article is imported directly*
9 *from Jordan into the customs territory of*
10 *the United States; and*

11 (ii) *that article—*

12 (I) *is wholly the growth, product,*
13 *or manufacture of Jordan; or*

14 (II) *is a new or different article of*
15 *commerce that has been grown, pro-*
16 *duced, or manufactured in Jordan and*
17 *meets the requirements of subpara-*
18 *graph (B).*

19 (B) *REQUIREMENTS.*—

20 (i) *GENERAL RULE.*—*The requirements*
21 *of this subparagraph are that with respect*
22 *to an article described in subparagraph*
23 *(A)(ii)(II), the sum of—*

24 (I) *the cost or value of the mate-*
25 *rials produced in Jordan, plus*



1 (ii) *the direct costs of processing*
2 *operations performed in Jordan,*
3 *is not less than 35 percent of the appraised*
4 *value of such article at the time it is en-*
5 *tered.*

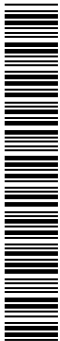
6 (ii) *MATERIALS PRODUCED IN UNITED*
7 *STATES.—If the cost or value of materials*
8 *produced in the customs territory of the*
9 *United States is included with respect to an*
10 *article to which this paragraph applies, an*
11 *amount not to exceed 15 percent of the ap-*
12 *praised value of the article at the time it is*
13 *entered that is attributable to such United*
14 *States cost or value may be applied toward*
15 *determining the percentage referred to in*
16 *clause (i).*

17 (2) *EXCLUSIONS.—No article may be considered*
18 *to meet the requirements of paragraph (1)(A) by vir-*
19 *tue of having merely undergone—*

20 (A) *simple combining or packaging oper-*
21 *ations; or*

22 (B) *mere dilution with water or mere dilu-*
23 *tion with another substance that does not materi-*
24 *ally alter the characteristics of the article.*

25 (b) *DIRECT COSTS OF PROCESSING OPERATIONS.—*



1 (1) *IN GENERAL.*—*As used in this section, the*
2 *term “direct costs of processing operations” includes,*
3 *but is not limited to—*

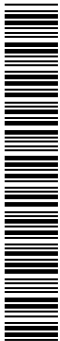
4 (A) *all actual labor costs involved in the*
5 *growth, production, manufacture, or assembly of*
6 *the specific merchandise, including fringe bene-*
7 *fits, on-the-job training, and the cost of engineer-*
8 *ing, supervisory, quality control, and similar*
9 *personnel; and*

10 (B) *dies, molds, tooling, and depreciation*
11 *on machinery and equipment which are allocable*
12 *to the specific merchandise.*

13 (2) *EXCLUDED COSTS.*—*The term “direct costs of*
14 *processing operations” does not include costs which*
15 *are not directly attributable to the merchandise con-*
16 *cerned, or are not costs of manufacturing the product,*
17 *such as—*

18 (A) *profit; and*

19 (B) *general expenses of doing business*
20 *which are either not allocable to the specific mer-*
21 *chandise or are not related to the growth, pro-*
22 *duction, manufacture, or assembly of the mer-*
23 *chandise, such as administrative salaries, cas-*
24 *ualty and liability insurance, advertising, and*
25 *salesmen’s salaries, commissions, or expenses.*



1 (c) *TEXTILE AND APPAREL ARTICLES.*—

2 (1) *IN GENERAL.*—A textile or apparel article
3 imported directly from Jordan into the customs terri-
4 tory of the United States shall be considered to meet
5 the requirements of paragraph (1)(A) of subsection (a)
6 only if—

7 (A) the article is wholly obtained or pro-
8 duced in Jordan;

9 (B) the article is a yarn, thread, twine,
10 cordage, rope, cable, or braiding, and—

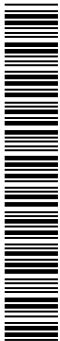
11 (i) the constituent staple fibers are
12 spun in Jordan, or

13 (ii) the continuous filament is extruded
14 in Jordan;

15 (C) the article is a fabric, including a fab-
16 ric classified under chapter 59 of the HTS, and
17 the constituent fibers, filaments, or yarns are
18 woven, knitted, needled, tufted, felted, entangled,
19 or transformed by any other fabric-making proc-
20 ess in Jordan; or

21 (D) the article is any other textile or ap-
22 parel article that is wholly assembled in Jordan
23 from its component pieces.

24 (2) *DEFINITION.*—For purposes of paragraph
25 (1), an article is “wholly obtained or produced in

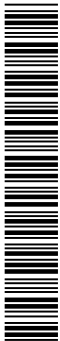


1 *Jordan*” if it is wholly the growth, product, or manu-
2 *facture of Jordan.*

3 (3) *SPECIAL RULES.—*

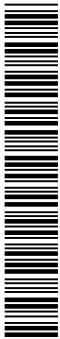
4 (A) *CERTAIN MADE-UP ARTICLES, TEXTILE*
5 *ARTICLES IN THE PIECE, AND CERTAIN OTHER*
6 *TEXTILES AND TEXTILE ARTICLES.—Notwith-*
7 *standing paragraph (1)(D) and except as pro-*
8 *vided in subparagraphs (C) and (D) of this*
9 *paragraph, subparagraph (A), (B), or (C) of*
10 *paragraph (1), as appropriate, shall determine*
11 *whether a good that is classified under one of the*
12 *following headings or subheadings of the HTS*
13 *shall be considered to meet the requirements of*
14 *paragraph (1)(A) of subsection (a): 5609, 5807,*
15 *5811, 6209.20.50.40, 6213, 6214, 6301, 6302,*
16 *6304, 6305, 6306, 6307.10, 6307.90, 6308, and*
17 *9404.90.*

18 (B) *CERTAIN KNIT-TO-SHAPE TEXTILES AND*
19 *TEXTILE ARTICLES.—Notwithstanding para-*
20 *graph (1)(D) and except as provided in subpara-*
21 *graphs (C) and (D) of this paragraph, a textile*
22 *or apparel article which is knit-to-shape in Jor-*
23 *dan shall be considered to meet the requirements*
24 *of paragraph (1)(A) of subsection (a).*



1 (C) *CERTAIN DYED AND PRINTED TEXTILES*
2 AND TEXTILE ARTICLES.—*Notwithstanding*
3 paragraph (1)(D), a good classified under head-
4 ing 6117.10, 6213.00, 6214.00, 6302.22, 6302.29,
5 6302.52, 6302.53, 6302.59, 6302.92, 6302.93,
6 6302.99, 6303.92, 6303.99, 6304.19, 6304.93,
7 6304.99, 9404.90.85, or 9404.90.95 of the HTS,
8 except for a good classified under any such head-
9 ing as of cotton or of wool or consisting of fiber
10 blends containing 16 percent or more by weight
11 of cotton, shall be considered to meet the require-
12 ments of paragraph (1)(A) of subsection (a) if
13 the fabric in the good is both dyed and printed
14 in Jordan, and such dyeing and printing is ac-
15 companied by 2 or more of the following fin-
16 ishing operations: bleaching, shrinking, fulling,
17 napping, decating, permanent stiffening,
18 weighting, permanent embossing, or moireing.

19 (D) *FABRICS OF SILK, COTTON, MANMADE*
20 FIBER OR VEGETABLE FIBER.— *Notwithstanding*
21 paragraph (1)(C), a fabric classified under the
22 HTS as of silk, cotton, man-made fiber, or vege-
23 table fiber shall be considered to meet the re-
24 quirements of paragraph (1)(A) of subsection (a)
25 if the fabric is both dyed and printed in Jordan,



1 *and such dyeing and printing is accompanied by*
2 *2 or more of the following finishing operations:*
3 *bleaching, shrinking, fulling, napping, decatizing,*
4 *permanent stiffening, weighting, permanent em-*
5 *bossing, or moireing.*

6 (4) *MULTICOUNTRY RULE.—If the origin of a*
7 *textile or apparel article cannot be determined under*
8 *paragraph (1) or (3), then that article shall be consid-*
9 *ered to meet the requirements of paragraph (1)(A) of*
10 *subsection (a) if—*

11 *(A) the most important assembly or manu-*
12 *facturing process occurs in Jordan; or*

13 *(B) if the applicability of paragraph (1)(A)*
14 *of subsection (a) cannot be determined under*
15 *subparagraph (A), the last important assembly*
16 *or manufacturing occurs in Jordan.*

17 (d) *EXCLUSION.—A good shall not be considered to*
18 *meet the requirements of paragraph (1)(A) of subsection (a)*
19 *if the good—*

20 *(1) is imported into Jordan, and, at the time of*
21 *importation, would be classified under heading 0805*
22 *of the HTS; and*

23 *(2) is processed in Jordan into a good classified*
24 *under any of subheadings 2009.11 through 2009.30 of*
25 *the HTS.*



1 (e) *REGULATIONS.*—*The Secretary of the Treasury,*
2 *after consultation with the United States Trade Representa-*
3 *tive, shall prescribe such regulations as may be necessary*
4 *to carry out this section.*

5 ***TITLE II—RELIEF FROM***
6 ***IMPORTS***

7 ***Subtitle A—General Provisions***

8 ***SEC. 201. DEFINITIONS.***

9 *As used in this title:*

10 (1) *COMMISSION.*—*The term “Commission”*
11 *means the United States International Trade Com-*
12 *mission.*

13 (2) *JORDANIAN ARTICLE.*—*The term “Jordanian*
14 *article” means an article that qualifies for reduction*
15 *or elimination of a duty under section 102.*

16 ***Subtitle B—Relief From Imports***
17 ***Benefiting From The Agreement***

18 ***SEC. 211. COMMENCING OF ACTION FOR RELIEF.***

19 (a) *FILING OF PETITION.*—

20 (1) *IN GENERAL.*—*A petition requesting action*
21 *under this subtitle for the purpose of adjusting to the*
22 *obligations of the United States under the Agreement*
23 *may be filed with the Commission by an entity, in-*
24 *cluding a trade association, firm, certified or recog-*
25 *nized union, or group of workers that is representa-*



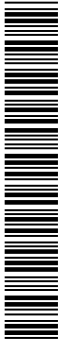
1 *tive of an industry. The Commission shall transmit*
2 *a copy of any petition filed under this subsection to*
3 *the United States Trade Representative.*

4 (2) *PROVISIONAL RELIEF.—An entity filing a*
5 *petition under this subsection may request that provi-*
6 *sional relief be provided as if the petition had been*
7 *filed under section 202(a) of the Trade Act of 1974.*

8 (3) *CRITICAL CIRCUMSTANCES.—Any allegation*
9 *that critical circumstances exist shall be included in*
10 *the petition.*

11 (b) *INVESTIGATION AND DETERMINATION.—*

12 (1) *IN GENERAL.—Upon the filing of a petition*
13 *under subsection (a), the Commission, unless sub-*
14 *section (d) applies, shall promptly initiate an inves-*
15 *tigation to determine whether, as a result of the re-*
16 *duction or elimination of a duty provided for under*
17 *the Agreement, a Jordanian article is being imported*
18 *into the United States in such increased quantities,*
19 *in absolute terms or relative to domestic production,*
20 *and under such conditions that imports of the Jor-*
21 *danian article alone constitute a substantial cause of*
22 *serious injury or threat thereof to the domestic indus-*
23 *try producing an article that is like, or directly com-*
24 *petitive with, the imported article.*



1 (2) *CAUSATION.*—*For purposes of this subtitle, a*
2 *Jordanian article is being imported into the United*
3 *States in increased quantities as a result of the reduc-*
4 *tion or elimination of a duty provided for under the*
5 *Agreement if the reduction or elimination is a cause*
6 *that contributes significantly to the increase in im-*
7 *ports. Such cause need not be equal to or greater than*
8 *any other cause.*

9 (c) *APPLICABLE PROVISIONS.*—*The following provi-*
10 *sions of section 202 of the Trade Act of 1974 (19 U.S.C.*
11 *2252) apply with respect to any investigation initiated*
12 *under subsection (b):*

13 (1) *Paragraphs (1)(B) and (3) of subsection (b).*

14 (2) *Subsection (c).*

15 (3) *Subsection (d).*

16 (d) *ARTICLES EXEMPT FROM INVESTIGATION.*—*No in-*
17 *vestigation may be initiated under this section with respect*
18 *to any Jordanian article if import relief has been provided*
19 *under this subtitle with respect to that article.*

20 **SEC. 212. COMMISSION ACTION ON PETITION.**

21 (a) *DETERMINATION.*—*By no later than 120 days (180*
22 *days if critical circumstances have been alleged) after the*
23 *date on which an investigation is initiated under section*
24 *211(b) with respect to a petition, the Commission shall*
25 *make the determination required under that section.*



1 (b) *ADDITIONAL FINDING AND RECOMMENDATION IF*
2 *DETERMINATION AFFIRMATIVE.*—If the determination
3 made by the Commission under subsection (a) with respect
4 to imports of an article is affirmative, the Commission shall
5 find, and recommend to the President in the report required
6 under subsection (c), the amount of import relief that is
7 necessary to remedy or prevent the injury found by the
8 Commission in the determination and to facilitate the ef-
9 forts of the domestic industry to make a positive adjustment
10 to import competition. The import relief recommended by
11 the Commission under this subsection shall be limited to
12 that described in section 213(c).

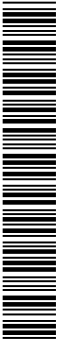
13 (c) *REPORT TO PRESIDENT.*—No later than the date
14 that is 30 days after the date on which a determination
15 is made under subsection (a) with respect to an investiga-
16 tion, the Commission shall submit to the President a report
17 that shall include—

18 (1) a statement of the basis for the determina-
19 tion;

20 (2) dissenting and separate views; and

21 (3) any finding made under subsection (b) re-
22 garding import relief.

23 (d) *PUBLIC NOTICE.*—Upon submitting a report to the
24 President under subsection (c), the Commission shall
25 promptly make public such report (with the exception of

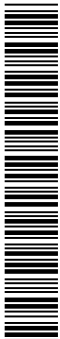


1 *information which the Commission determines to be con-*
2 *fidential) and shall cause a summary thereof to be published*
3 *in the Federal Register.*

4 (e) *APPLICABLE PROVISIONS.*—For purposes of this
5 *subtitle, the provisions of paragraphs (1), (2), and (3) of*
6 *section 330(d) of the Tariff Act of 1930 (19 U.S.C. 1330(d))*
7 *shall be applied with respect to determinations and findings*
8 *made under this section as if such determinations and find-*
9 *ings were made under section 202 of the Trade Act of 1974*
10 *(19 U.S.C. 2252).*

11 **SEC. 213. PROVISION OF RELIEF.**

12 (a) *IN GENERAL.*—No later than the date that is 30
13 *days after the date on which the President receives the re-*
14 *port of the Commission containing an affirmative deter-*
15 *mination of the Commission under section 212(a), the*
16 *President shall provide relief from imports of the article*
17 *that is the subject of such determination to the extent that*
18 *the President determines necessary to prevent or remedy the*
19 *injury found by the Commission and to facilitate the efforts*
20 *of the domestic industry to make a positive adjustment to*
21 *import competition, unless the President determines that*
22 *the provision of such relief is not in the national economic*
23 *interest of the United States or, in extraordinary cir-*
24 *cumstances, that the provision of such relief would cause*
25 *serious harm to the national security of the United States.*



1 (b) *NATIONAL ECONOMIC INTEREST.*—*The President*
2 *may determine under subsection (a) that providing import*
3 *relief is not in the national economic interest of the United*
4 *States only if the President finds that taking such action*
5 *would have an adverse impact on the United States econ-*
6 *omy clearly greater than the benefits of taking such action.*

7 (c) *NATURE OF RELIEF.*—*The import relief (including*
8 *provisional relief) that the President is authorized to pro-*
9 *vide under this subtitle with respect to imports of an article*
10 *is—*

11 (1) *the suspension of any further reduction pro-*
12 *vided for under the United States Schedule to Annex*
13 *2.1 of the Agreement in the duty imposed on that ar-*
14 *ticle;*

15 (2) *an increase in the rate of duty imposed on*
16 *such article to a level that does not exceed the lesser*
17 *of—*

18 (A) *the column 1 general rate of duty im-*
19 *posed under the HTS on like articles at the time*
20 *the import relief is provided; or*

21 (B) *the column 1 general rate of duty im-*
22 *posed under the HTS on like articles on the day*
23 *before the date on which the Agreement enters*
24 *into force; or*



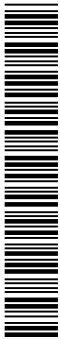
1 (3) *in the case of a duty applied on a seasonal*
2 *basis to that article, an increase in the rate of duty*
3 *imposed on the article to a level that does not exceed*
4 *the column 1 general rate of duty imposed under the*
5 *HTS on the article for the corresponding season oc-*
6 *curing immediately before the date on which the*
7 *Agreement enters into force.*

8 (d) *PERIOD OF RELIEF.—The import relief that the*
9 *President is authorized to provide under this section may*
10 *not exceed 4 years.*

11 (e) *RATE AFTER TERMINATION OF IMPORT RELIEF.—*
12 *When import relief under this subtitle is terminated with*
13 *respect to an article—*

14 (1) *the rate of duty on that article after such ter-*
15 *mination and on or before December 31 of the year*
16 *in which termination occurs shall be the rate that, ac-*
17 *cording to the United States Schedule to Annex 2.1*
18 *of the Agreement for the staged elimination of the tar-*
19 *iff, would have been in effect 1 year after the initi-*
20 *ation of the import relief action under section 211;*
21 *and*

22 (2) *the tariff treatment for that article after De-*
23 *cember 31 of the year in which termination occurs*
24 *shall be, at the discretion of the President, either—*



1 (A) *the rate of duty conforming to the ap-*
2 *plicable rate set out in the United States Sched-*
3 *ule to Annex 2.1; or*

4 (B) *the rate of duty resulting from the*
5 *elimination of the tariff in equal annual stages*
6 *ending on the date set out in the United States*
7 *Schedule to Annex 2.1 for the elimination of the*
8 *tariff.*

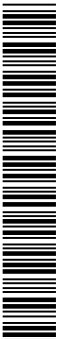
9 **SEC. 214. TERMINATION OF RELIEF AUTHORITY.**

10 (a) *GENERAL RULE.—Except as provided in sub-*
11 *section (b), no import relief may be provided under this*
12 *subtitle after the date that is 15 years after the date on*
13 *which the Agreement enters into force.*

14 (b) *EXCEPTION.—Import relief may be provided under*
15 *this subtitle in the case of a Jordanian article after the date*
16 *on which such relief would, but for this subsection, termi-*
17 *nate under subsection (a), but only if the Government of*
18 *Jordan consents to such provision.*

19 **SEC. 215. COMPENSATION AUTHORITY.**

20 *For purposes of section 123 of the Trade Act of 1974*
21 *(19 U.S.C. 2133), any import relief provided by the Presi-*
22 *dent under section 213 shall be treated as action taken*
23 *under chapter 1 of title II of such Act.*



1 **SEC. 216. SUBMISSION OF PETITIONS.**

2 *A petition for import relief may be submitted to the*
3 *Commission under—*

4 *(1) this subtitle;*

5 *(2) chapter 1 of title II of the Trade Act of 1974;*

6 *or*

7 *(3) under both this subtitle and such chapter 1*
8 *at the same time, in which case the Commission shall*
9 *consider such petitions jointly.*

10 ***Subtitle C—Cases Under Title II Of***
11 ***The Trade Act of 1974***

12 **SEC. 221. FINDINGS AND ACTION ON JORDANIAN IMPORTS.**

13 *(a) EFFECT OF IMPORTS.—If, in any investigation*
14 *initiated under chapter 1 of title II of the Trade Act of*
15 *1974, the Commission makes an affirmative determination*
16 *(or a determination which the President may treat as an*
17 *affirmative determination under such chapter by reason of*
18 *section 330(d) of the Tariff Act of 1930), the Commission*
19 *shall also find (and report to the President at the time such*
20 *injury determination is submitted to the President) whether*
21 *imports of the article from Jordan are a substantial cause*
22 *of serious injury or threat thereof.*

23 *(b) PRESIDENTIAL ACTION REGARDING JORDANIAN*
24 *IMPORTS.—In determining the nature and extent of action*
25 *to be taken under chapter 1 of title II of the Trade Act*
26 *of 1974, the President shall determine whether imports from*



1 *Jordan are a substantial cause of the serious injury found*
2 *by the Commission and, if such determination is in the neg-*
3 *ative, may exclude from such action imports from Jordan.*

4 **SEC. 222. TECHNICAL AMENDMENT.**

5 *Section 202(a)(8) of the Trade Act of 1974 (19 U.S.C.*
6 *2252(a)(8)) is amended in the first sentence—*

7 *(1) by striking “and part 1” and inserting “,*
8 *part 1”; and*

9 *(2) by inserting before the period at the end “,*
10 *and title II of the United States-Jordan Free Trade*
11 *Area Implementation Act”.*

12 **TITLE III—TEMPORARY ENTRY**

13 **SEC. 301. NONIMMIGRANT TRADERS AND INVESTORS.**

14 *Upon the basis of reciprocity secured by the Agreement,*
15 *an alien who is a national of Jordan (and any spouse or*
16 *child (as defined in section 101(b)(1) of the Immigration*
17 *and Nationality Act (8 U.S.C. 1101(b)(1)) of the alien, if*
18 *accompanying or following to join the alien) shall be con-*
19 *sidered as entitled to enter the United States under and*
20 *in pursuance of the provisions of the Agreement as a non-*
21 *immigrant described in section 101(a)(15)(E) of the Immi-*
22 *gration and Nationality Act (8 U.S.C. 1101(a)(15)(E)), if*
23 *the entry is solely for a purpose described in clause (i) or*
24 *(ii) of such section and the alien is otherwise admissible*
25 *to the United States as such a nonimmigrant.*



1 ***TITLE IV—GENERAL PROVISIONS***

2 ***SEC. 401. RELATIONSHIP OF THE AGREEMENT TO UNITED***
3 ***STATES AND STATE LAW.***

4 *(a) RELATIONSHIP OF AGREEMENT TO UNITED*
5 *STATES LAW.—*

6 *(1) UNITED STATES LAW TO PREVAIL IN CON-*
7 *FLICT.—No provision of the Agreement, nor the appli-*
8 *cation of any such provision to any person or cir-*
9 *cumstance, that is inconsistent with any law of the*
10 *United States shall have effect.*

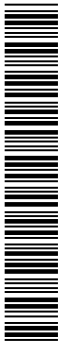
11 *(2) CONSTRUCTION.—Nothing in this Act shall*
12 *be construed—*

13 *(A) to amend or modify any law of the*
14 *United States, or*

15 *(B) to limit any authority conferred under*
16 *any law of the United States,*
17 *unless specifically provided for in this Act.*

18 *(b) RELATIONSHIP OF AGREEMENT TO STATE LAW.—*

19 *(1) LEGAL CHALLENGE.—No State law, or the*
20 *application thereof, may be declared invalid as to any*
21 *person or circumstance on the ground that the provi-*
22 *sion or application is inconsistent with the Agree-*
23 *ment, except in an action brought by the United*
24 *States for the purpose of declaring such law or appli-*
25 *cation invalid.*



1 (2) *DEFINITION OF STATE LAW.*—*For purposes of*
2 *this subsection, the term “State law” includes—*

3 (A) *any law of a political subdivision of a*
4 *State; and*

5 (B) *any State law regulating or taxing the*
6 *business of insurance.*

7 (c) *EFFECT OF AGREEMENT WITH RESPECT TO PRI-*
8 *VATE REMEDIES.*—*No person other than the United*
9 *States—*

10 (1) *shall have any cause of action or defense*
11 *under the Agreement; or*

12 (2) *may challenge, in any action brought under*
13 *any provision of law, any action or inaction by any*
14 *department, agency, or other instrumentality of the*
15 *United States, any State, or any political subdivision*
16 *of a State on the ground that such action or inaction*
17 *is inconsistent with the Agreement.*

18 **SEC. 402. AUTHORIZATION OF APPROPRIATIONS.**

19 *There are authorized to be appropriated for each fiscal*
20 *year after fiscal year 2001 to the Department of Commerce*
21 *not more than \$100,000 for the payment of the United*
22 *States share of the expenses incurred in dispute settlement*
23 *proceedings under article 17 of the Agreement.*

24 **SEC. 403. IMPLEMENTING REGULATIONS.**

25 *After the date of enactment of this Act—*



1 (1) *the President may proclaim such actions,*
2 *and*

3 (2) *other appropriate officers of the United*
4 *States may issue such regulations,*
5 *as may be necessary to ensure that any provision of this*
6 *Act, or amendment made by this Act, that takes effect on*
7 *the date the Agreement enters into force is appropriately*
8 *implemented on such date, but no such proclamation or reg-*
9 *ulation may have an effective date earlier than the date*
10 *the Agreement enters into force.*

11 **SEC. 404. EFFECTIVE DATES; EFFECT OF TERMINATION.**

12 (a) *EFFECTIVE DATES.*—*Except as provided in sub-*
13 *section (b), the provisions of this Act and the amendments*
14 *made by this Act take effect on the date the Agreement enters*
15 *into force.*

16 (b) *EXCEPTIONS.*—*Sections 1 through 3 and this title*
17 *take effect on the date of the enactment of this Act.*

18 (c) *TERMINATION OF THE AGREEMENT.*—*On the date*
19 *on which the Agreement ceases to be in force, the provisions*
20 *of this Act (other than this subsection) and the amendments*
21 *made by this Act, shall cease to be effective.*

